

9 FAM 42.55 Procedural Notes

(TL:VISA-395; 04-15-2002)

9 FAM 42.55 PN1 General Requirements for Processing “Documentarily Qualified” Applicants

9 FAM 42.55 PN1.1 Qualifying Dates

(TL:VISA-395; 04-15-2002)

“Qualifying dates” are established by the Department to ensure that applicants will not be officially informed of requisite supporting documentation prematurely, i.e., prior to the time that the availability of a visa number within a reasonable period is foreseeable. Otherwise, it is likely that some documents would be out-of-date by the time a visa number is available and delay in final action would result. *However, should an applicant or agent request information concerning additional processing requirements this information may be provided to them at any time with a warning that some documents may expire if obtained too early in the process. In other words, post or NVC will not officially and pro-actively notify applicants of additional processing requirements unless the qualifying date set by the Department (CA/VO/F/I) encompasses the alien’s priority date.*

9 FAM 42.55 PN1.2 “Documentarily Qualified” Applicants

(TL:VISA-395; 04-15-2002)

“Documentarily qualified” means that the alien has returned Form OF-169 (the “Packet 3” letter) or otherwise informed the post that all required documents have been obtained, and that the post has completed its clearance procedures. *Under some circumstances, consular managers may establish other screening mechanisms to verify that an applicant is documentarily qualified [See 9 FAM 42.63 PN11.] As post is notified during the reporting period that an applicant is documentarily qualified, the automated immigrant visa processing system should be updated as soon as possible. [See 9 FAM 42.55 N1.]*